

Hawaiian Gazette.

U. S. WEATHER BUREAU, December 21.—Last 24 Hours' Rainfall, .10.
Temperature, Max. 76; Min. 66. Weather, rainy.

SUGAR.—96 Degree Test Centrifugals, 3.70c. Per Ton, \$74.00.
88 Analysis Beets, 10a. Per Ton, \$82.20.

VOL LI NO. 102

HAWAIIAN GAZETTE, TUESDAY, DECEMBER 22, 1908 —SEMI-WEEKLY

WHOLE NO. 3070

THE MAYORALTY CONTEST IN THE SUPREME COURT

Petitioners Examined as to Their Information as to Alleged Fraud—Fernandez Spread Information.

Three questions of law were being argued before the Supreme Court yesterday when the time came for adjournment in the mayoralty contest, and the argument will be concluded this morning, as well as argument on a fourth question suggested by Justice Wilder during the argument on the other three. It is possible that the decision on these points of law may practically end the case where it is, without a recount in any of the precincts. If it does not, several days may be occupied in the hearing of the case.

Three Questions of Law.

The three questions of law being argued were stated by the court itself, by Chief Justice Hartwell, at the beginning of the afternoon session. They are these: The materiality of the evidence that some votes were received in the eleventh precinct of the Fifth District after 5 o'clock; the materiality of the evidence as to Willie Crawford being inside the polling place in the fourteenth precinct of the Fifth, and assisting in the count; and the materiality of the evidence that being in the polling place he spoke to Chinese voters in Chinese.

The fourth question Justice Wilder raised and asked argument upon as to whether or not under the law on a petition for a recount by electors the thirty electors must all have information of the same irregularity?

Davis on Crawford.

In the argument on the three earlier propositions, George A. Davis presented the contentions of the petitioners as to the Willie Crawford alleged irregularities. He insisted that Crawford

had no right in the polling place at all, notwithstanding his appointment as a clerk by the County Clerk on the authority of the Board of Supervisors. Justice Wilder called Mr. Davis' attention to a section of the statute giving representatives of parties and candidates and the public generally a right inside the polling place during the count. Mr. Davis modified his claim, limiting it to the time during the voting. The court decided of its own motion that the allegation that Crawford had offered to bet that Achi would carry the precinct was immaterial.

Five O'Clock Closing.

A. G. M. Robertson argued that the requirement that the polls should be closed at five was mandatory, and that, therefore, if it is, the fact that the polls were not closed at that hour in the eleventh would require that the entire vote of the precinct should be thrown out. The Chief Justice called his attention to the law requiring the ballots to be made up in packages of one hundred, and asked him if by accident one hundred and one ballots were put in one package if that would void the whole election. Robertson said it would if the provision was mandatory.

Might Unseat Others.

The throwing out of this precinct, without any other change of returns, would defeat Fern, as he got a good majority at this precinct. But seemingly if the vote for Mayor was thrown out because votes were received after five o'clock the vote for all other of

(Continued on Page Five.)

FOUND BURGLAR IN HER ROOM

Intruder Grabs Mrs. Fernbach by Throat When Discovered Pilfering.

Midnight attacks by burglars on householders who surprise them are becoming numerous, the latest one reported to the police being a bold attempt to rob the room of Mr. and Mrs. Fernbach at Waikiki last Wednesday night, followed by a vicious attack by the intruder on Mrs. Fernbach.

The Fernbachs reside in the home of Mr. and Mrs. C. A. K. Hopkins, Waikiki. About half-past ten on Wednesday night Mrs. Fernbach was aroused by a noise in the room, but paid no attention at first, believing it was a cat. The noise continued, and finally Mrs. Fernbach got up to investigate. As she arose and stood up in the

room she made out the figure of a man standing near the bureau. She advanced bravely and called out, sharply: "Who is that?" The person standing at the bureau turned his head quickly, and the question was repeated. Mrs. Fernbach took another step, and as she did so the intruder jumped at her, caught her by the throat and then, holding her, reached to the door, felt for the key, unlocked the door, and then, releasing his hold, fled from the house.

The burglar, caught while at his work, failed to get anything of value from the house.

OCTOPUS IN PEARL HARBOR.

A few days ago, while Dr. McGrew was near his boat wharf at Aiea, he saw something strange in the water close to the outer piles and, going to see, came face to face with an octopus. The Doctor says that the monster was holding on to the wharf and made a low, growling sound as he approached. The head of the octopus was larger than that of a ten-year-old boy, and its arms were very long. Dr. McGrew hurried to the house for a gun, but when he returned the devil-fish had gone.

PEARL HARBOR CHANNEL PLANS ARE ALTERED

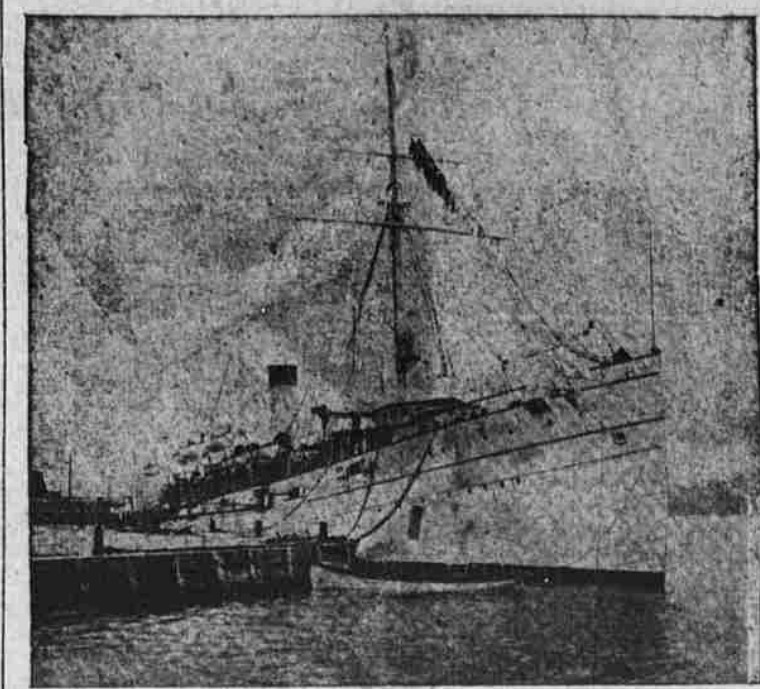
The report that the Hawaiian Dredging Company, to whom the Pearl Harbor dredging contract is awarded, is now controlled and owned entirely by the Dillingham interests, is confirmed by news brought by the Hilonian last night, E. J. Lord having sold out his interest to them for one hundred thousand dollars. This deal was put through in Washington, pending the awarding of the Pearl Harbor contract, the sale of the Lord interest being made indirectly to the Dillinghams through the Atlantic Gulf Dredging Company.

With this confirmation comes word of the altering of the Pearl Harbor contract by cutting down the width of the channel to be dredged from 600

to 300 feet. While this makes the amount of the contract approximately one-quarter less, the altered plans are altogether in favor of the contractors, cutting down by one-half the most difficult and most expensive portion of the proposed work and allowing the same average price per yard for the remainder. The figuring had been done including the whole six hundred feet channel width and the cost estimated accordingly, so that the estimated profits on the contract now are much larger than had been counted upon.

"The Dillinghams ought to clean up half a million dollars on this contract now," stated an engineer last night, who is familiar with the plans and the work to be done.

BUFFALO WILL BRING MARINES



U. S. AUXILIARY CRUISER BUFFALO—COMING WITH MARINE REINFORCEMENTS FOR HONOLULU.

Battalion and Officers Will Reach Honolulu Early in January—A Battleship's Secret Cruise.

(Associated Press Cablegrams.)

WASHINGTON, December 22.—The auxiliary cruiser Buffalo will leave San Francisco early in January with a battalion of marines and officers to be stationed at Honolulu.

WASHINGTON, December 22.—Complete mystery surrounds the destination of the battleship Maine, which sailed from Norfolk yesterday under sealed orders. Neither the State Department nor the Navy Department would give out any information concerning the mission of the Maine nor her destination.

PEKING, December 18.—Half of the Japanese guard at the Chili legation will be withdrawn.

WASHINGTON, December 18.—It is reliably reported that George Wickersham of New York will be appointed Attorney-General.

WASHINGTON, December 18.—Sherman Moreland of Elmira, New York, will be nominated to succeed Tracy as Supreme Justice of the Philippines.

WASHINGTON, December 18.—President Roosevelt is preparing a message in reply to the resolution yesterday passed in the House of Representatives requesting evidence that members of the Secret Service are needed to investigate Congressmen.

COLOMBO, Ceylon, December 19.—The Tea Planters' Association of Ceylon has presented the officers and men of the American Atlantic fleet with fifteen thousand pounds of tea.

LE MANS, France, December 19.—Wilbur Wright yesterday established a new world's aeroplane record, remaining in the air in flight for one hour fifty-three minutes and fifty-nine seconds.

MANILA, December 19.—An investigation is being made into the poisoning of a number of the soldiers of the Eighteenth Infantry yesterday, supposed to have been the result of drinking poisonous spirits. Eighteen of the ones affected by the poison have died and thirteen others are seriously ill.

THE HAGUE, December 19.—It is believed here that the Venezuelan proclamation that their country is in a state of defense against the Dutch blockade of their ports is not intended to be a declaration of war.

WASHINGTON, December 19.—Secretary of War Wright has requested that an urgent deficiency bill be passed appropriating \$585,800 to carry on the Panama canal work to the end of the present fiscal year.

AUGUSTA, Georgia, December 19.—President-elect Taft has announced the appointment of former Attorney-General Knox, now serving a term in the United States Senate from Pennsylvania, as Secretary of State, to succeed Secretary Root. Knox has telegraphed his acceptance of the position.

AUGUSTA, Georgia, December 18.—President-elect W. H. Taft arrived here today.

WASHINGTON, December 19.—Congress adjourned for the holidays and will meet on January 4.

SAN FRANCISCO, December 19.—The sentence of Abe Ruef, convicted of graft, has been postponed until Thursday.

WASHINGTON, December 19.—President Roosevelt today sent the following nominations to the Senate: Horace Knowles, to be Minister to Nicaragua; Sherman Moreland, to be Chief Justice of the Supreme Court of the Philippines.

OAKLAND, December 19.—Mrs. Martin, found guilty on December 15 of blowing up the house of Judge Ogden of this city, was today sentenced to life imprisonment. Upon hearing the sentence pronounced Mrs. Martin became hysterical. Poison was found concealed on her person. She contemplated suicide.

WASHINGTON, December 20.—It has been definitely decided to amend the plans for the drydock to be constructed at Pearl Harbor and to increase the length of the drydock to 1195 feet. This will make the Pearl Harbor dock the largest ever constructed by any government. The plans call for many innovations.

WASHINGTON, December 20.—Secretary of War Wright, Secretary of the Interior Garfield and Governor Fear of Hawaii held a conference yesterday regarding the retransfer of a reservoir site on Punchbowl back to the Territorial government, the site proposed being at present a portion of the Punchbowl army reservation.

CANTON, China, December 20.—The antirevolutionary agitation here is taking on a more serious phase, and a violent outbreak is feared.

AUGUSTA, Georgia, December 20.—President-elect Taft states that aside from the choice of former Secretary Knox as Secretary of State no further progress in the formation of his cabinet has been made.

COLOMBO, Ceylon, December 20.—The American Atlantic fleet sailed from this port yesterday. The battleships are due to arrive at Suez on January 5.

MONTPELIER, Idaho, December 20.—A mother poisoned her three children here yesterday, giving them strychnine. She then committed suicide.

WASHINGTON, December 21.—The Appointment of Frank H. Hitchcock as Postmaster-General in the Taft Cabinet has been announced. Judge Ballinger, of Seattle, is mentioned for the post of Secretary of the Interior.

SAN FRANCISCO, December 21.—Yesterday was the coldest day in the history of San Francisco since 1888. The thermometer registered as low as thirty-five degrees.

SAN FRANCISCO, December 21.—Ex-Congressman Eugene F. Lord, of this city, died yesterday.

PUY, France, December 21.—This district was visited by an earthquake yesterday. The people were panicstricken, although the damage done was slight.

TOKIO, December 21.—Hasegawa has been appointed a member of the High Military Council of the Empire, and the appointment of General Okubo as commander-in-chief of the Japanese troops in Korea has been announced.

PORT-AU-PRINCE, Hayti, December 21.—General Simon yesterday took his official oath of office as the chosen President of the Republic.

WASHINGTON, December 21.—The United States Supreme Court handed down a decision in favor of the Territory this morning in the Lanai case, in which L. L. McCandless sought to obtain an injunction to restrain Governor George E. Carter from a land exchange involving 47,000 acres.

CARACAS, Venezuela, December 22.—Vice President Gomez has removed all the old Cabinet Ministers of the Castro government and has appointed a new Cabinet and established a new government.

SAN FRANCISCO, December 22.—Fireman Jim Flynn was knocked out by Negro Sam Langford in the first round of what was to have been a twenty-round go at the Coliseum last night.

Monte Attell, brother of Abe Attell, fought a fifteen-round draw with Jimmie Walsh, the bantamweight champion of the world, before the same club.

PORTLAND, Oregon, December 22.—The trial of J. A. Finch for the murder of Prosecutor Fisher has begun.

TOKIO, December 22.—The Japanese Diet has opened. Haseba has been elected Speaker of the Lower House.

NEW YORK, December 22.—Count Von Bernstorff, the Ambassador for Germany to the United States, arrived here yesterday.

MORGAN HAS EXCURSION FIXED

All Coast Will Combine in a Hilo and Honolulu Eleven- Day Visit.

"I just missed being one of those who were poisoned at the luncheon at the launching of the Prometheus, I was invited and intended to go, but my doctor advised me not to. I sent L. E. Pinkham in my place. I would have been poisoned surely, but Pinkham stood the poison all right," said James F. Morgan, president of the Chamber of Commerce, who returned by the Hilonian last night. Mr. Morgan is inclined to congratulate himself on the fact that he not only escaped himself, but had a substitute able to live through the ordeal.

Mr. Morgan, although on a trip for his health, a trip which proved successful in its main object, kept himself busy while on the Coast in working for the interest of Hawaii. He has practically made certain of an excursion to Hawaii from San Francisco and San Pedro, and has hopes of another one from Seattle. He stirred up enthusiasm among those he met in favor of the Pearl Harbor 1912 celebration, interviewed W. G. Irwin on the Federal building site question, issued invitations for President

(Continued on Page 3.)

SPECIMENS OF NEW GOLD COINAGE HERE

Passengers aboard the S. S. Hilonian last night brought to Honolulu some of the new gold coins just issued from the San Francisco mint according to the new designs. These coins are somewhat similar to those originally designed by St. Gaudens, but have the "In God We Trust" motto replaced and the pampelletes of the bird cut according to a different style. The twenties have the stars put back again on the face of the coin, instead of being sunken on the rim, and the milling has come back. The coins are an improvement on the original new ones, but it will be some time before they are as popular as the old spread-eagle brand. A San Francisco criticism of them says:

"Bankers and bank tellers do not like the new \$5 pieces and say all sorts of harsh and uncomplimentary things about the innocent and unoffending half-eagles. They are too thin; their edges are flat; they do not stack well nor evenly; their stacks are deceptive and misleading; they do not fit with the older coins. Those and similar remarks were made by bank tellers who handled a large number of the new coins. Some criticized the design and the manner of its execution, made sport of the female face divine, with hollow cheeks, and the bird clad in panties. All agreed that the new coin is more like a telephone slug than a coin of the realm."

SANTA CLAUS IS GENEROUS

Malihinis' Christmas Tree Will Bear Gifts for Thirteen Hundred.

A great big Christmas tree from the summit of Tantalus, selected by Ralph S. Hooper, Superintendent of Forestry of the Bureau of Agriculture and Forestry of Hawaii, will be planted in the Young Hotel park on Friday and loaded with Christmas gifts for the poor children of Honolulu. This is part of the Christmas celebration that is being given to the cosmopolitan youthful population of the Paradise of the Pacific by three young men from the mainland stopping at the Young Hotel. They find themselves this year far, far from home, with a longing for a real snowy Christmas, but, being here, decided that they would not be lonely and would do some good.

At first they thought to give something to each of about 300 children. Then the Salvation Army and many missions about town said they had many, many children under their care whom they wished to include if it were agreeable to the donors. Then the latter planned for 600, then 800, then a thousand, and yesterday afternoon the figures had reached 1300. They have had tickets printed bearing the legend "Malihinis' Christmas," and only the boy or girl who has a ticket will be admitted into the charmed enclosure which a big and real Santa Claus will mark about the tree from Tantalus.

One of the young men called upon Sheriff Iaukea yesterday afternoon and asked for a large number of police to preserve order and prevent a rush, particularly of youngsters not fortunate enough to have tickets. Then it was thought that the Hawaiian band would be an attraction, and so one of the young men saw Chairman Hustace of the Board of Supervisors. He granted permission for the band to play, and Captain Berger, leader of the band, was delighted at the opportunity, so the musicians will play for two hours Christmas forenoon.

The young men will be assisted by Mr. Rath of the Palama Mission, Mr. Rider of the Kakaako Mission, Rev. Mr. Potwine of St. Elizabeth's, and the Salvation Army people, who know the youth of Honolulu better than anyone else. Mrs. Rider is making the bags for the candies. Theodore Hoffmann of the Young Hotel Company has offered to decorate the tree with incandescents. Should there be rain on that day, the Christmas gifts will be kept in one of the big stores in the Young building, and the boys and girls will march through to receive their gifts. One of the young men bought twenty-eight dozen dolls yesterday, and everything is being purchased by the dozen and gross. Wall, Nichols Co. and Kerr & Co. are selling toys to the young men at cost.

Arrangements may be made to provide a place where tourists and friends

(Continued on Page 3.)